



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/376,876	08/18/1999	MARTIN D. MOODY	19317/101/10	7060

7590 02/27/2003

LAWRENCE M. NAWROCKI
NAWROCKI, ROONEY & SIVERTSON, P.A
SUITE 401, BROADWAY PLACE EAST
3433 BROADWAY STREET NORTHEAST
MINNEAPOLIS, MN 55413

EXAMINER

ENG, GEORGE

ART UNIT PAPER NUMBER

2643

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/376,876

Applicant(s)

MOODY, MARTIN D.

Examiner

George Eng

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8,9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-9,11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. This Office action is in response to amendment filed 1/16/2003 (paper no. 8).

Drawings

2. The proposed drawings correction and/or the proposed substitute sheets of drawings, filed on 1/16/2003 (paper no. 8) have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoner (US PAT. 6,266,397).

Regarding claim 1, Stoner discloses an emergency message processor (30) in a network having related multiple transmission sources as shown in figure 2 comprising an information storage unit (34) associated with the network for maintaining emergency message indicia

Art Unit: 2643

representative of the multiple transmission source to be transmitted under emergency circumstances and destination address information to which the indicia is to be transmitted (col. 5 lines 36-39 and col. 6 lines 42-44), and means for providing emergency indicia representative of a transmission source implementing transmission from the information storage unit to an emergency system data base in response to implementation of transmission (col. 6 lines 53-62). Note while Stoner teaches means for implement transmission of the emergency message indicia when the emergency circumstances occur (col. 6 lines 39-42 and col. 6 line 62 through col. 7 lines 3). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to recognize Stoner in having an initiator for implement transmission of the emergency message indicia when the emergency circumstances occur with minimal volitional activity.

Regarding claim 2, Stoner discloses the processor interfacing with a PBX (figure 1 and col. 4 lines 11-16).

Regarding claim 3, Stoner teaches the processor interfacing with PBX for connecting between a private branch exchange trunk to a PSAP via a central office (col. 3 line 66 through col. 4 line 16) so that it recognizes the processor including means for managing the PBX.

Regarding claim 5, Stoner teaches to concurrently transmit emergency message indicia to a monitoring location proximate a transmission source experiencing the emergency circumstance (col. 6 line 64 through col. 7 line 3).

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stoner (US PAT. 6,266,397) in view of Dounies (US PAT. 5,343,509 hereinafter Dounies).

Art Unit: 2643

Regarding claim 3, Stoner differs from the claimed invention in not specifically teaching the processor comprising means for manipulating said indicia. However, Dounies teaches to use of external changeable data storages device for manipulating user-stored information (col. 2 line 59 through col. 3 line 2 and col. 7 lines 4-12). Stoner and Dounies are combinable because they are in the same field of endeavor, i.e., a device used for automatic identifying, in cooperative association with an emergency system, location information of an emergency call. The motivation to combine Stoner with Dounies is to make easier to update user-stored information. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Stoner in having means for manipulating said indicia as taught by Dounies.

6. Claims 6-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoner (US PAT. 6,266,397) in view of Robbins (US PAT. 6,104,784).

Regarding claim 6, Stoner discloses an apparatus (10) as shown in figure 2 for facilitating implementation of a feature of a voice system, having means for administration, in which an emergency call can be initiated (col. 4 lines 11-29), comprising a first database (34) for storing information elements regarding status of potential call initiators, wherein the first database storing information elements regarding status of potential call initiators and accessing the information element regarding status of potential call initiators (col. 5 lines 36-39 and col. 6 lines 42-44), and means for transmitting at least one element of initiator status from said first database to a network with which the voice system interfaces (col. 6 lines 53-62). Note while Stoner teaches means for implement transmission of the emergency message indicia when the

Art Unit: 2643

emergency circumstances occur (col. 6 lines 39-42 and col. 6 line 62 through col. 7 lines 3). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to recognize Stoner in having means for providing initiator status information elements to a third emergency system database from the first database when the emergency circumstances occur. Stoner differs from the claimed invention in not specifically teaching the first database interfacing with a second voice system database. However, Robbins teaches an emergency service call system comprising a first database (45) interfacing with a second interface (46) to insure that service is not interrupted if the first database fails (col. 3 lines 6-17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Stoner in having the first database interfacing with the second database, as per teaching of Robbins, because it ensures that the emergency call service is able to be provided by the second database even through the first database fails.

Regarding claims 8-9, Stoner teaches to connect the PBX interface to the telephone system when an emergency call is received from one of the plurality of extensions and to transmit at least one element of initiator status in response to the emergency call (col. 5 lines 57-66 and col. 6 line 34 through col. 7 line 3) so that it recognizes Stoner in having means for interrogating the apparatus being activated by the initiation of the emergency call and means for transmitting at least one element of initiator status in response to interrogation by the means for interrogation.

Regarding claim 11, Stoner teaches to concurrently transmit emergency message indicia to a monitoring location proximate a transmission source experiencing the emergency circumstance (col. 6 line 64 through col. 7 line 3).

Response to Arguments

7. Applicant's arguments with respect to claims 1-6, 8-9, and 11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Reich et al. (US PAT. 6,151,385) discloses a system for calling designated addressable notify devices in response to a query to a local telephone company's ALI database system (abstract). Oliver (US PAT. 4,839,917) discloses a system for monitoring telephone lines and communicating actual telephone number or extension number, as well as geographical data to a correct zone supervision unit if alarm conditions are encounter (col. 9 line 60 through col. 10 line 15).

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

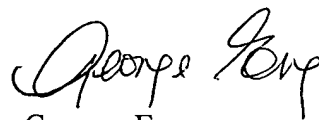
Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

Art Unit: 2643

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



George Eng

Examiner

Art Unit 2643